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Letter dated 10 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

In my capacity as the representative of the current Chairman of the African Union, I have the honour to forward to you the communiqué adopted by the Peace and Security Council of the African Union at its 168th meeting, held on 5 February 2009 in Addis Ababa, concerning the situation in the Islamic Republic of Mauritania (see annex). I would be grateful if this communiqué could be circulated as a document of the United Nations.

(*Signed*) Ibrahim O. A. **Dabbashi**
Ambassador and Chargé d'affaires a.i.
Permanent Mission of the Libyan Arab Jamahiriya to the United Nations
Representative of the Chairman of the African Union

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Annex to the letter dated 10 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the 168th meeting of the Peace and Security Council

The Peace and Security Council of the African Union (AU), at its 168th meeting, held on 5 February 2009, adopted the following decision on the situation in the Islamic Republic of Mauritania:

1. **Recalls** the communiqué of its 163rd meeting held on 22 December 2008;

2. **Decides** that the sanctions envisaged in paragraph nine (9) of the Communiqué of its 163rd Meeting held on 22 December 2008, enter into force;

3. **Requests** the Commission to take the necessary steps for the effective implementation of the sanctions and to report regularly to it;

4. **Further requests** all Member States to scrupulously implement this decision;

5. **Stresses** that the entry into force of the sanctions should be accompanied by efforts of the AU and its partners involving all the Mauritanian parties towards a rapid return to constitutional order in Mauritania. Council **urges** the authorities borne out of the coup to extend their full cooperation to the AU Commission with a view to an immediate return to constitutional order and the quick resolution of the political crisis in the country;

6. **Decides** to remain seized of the matter.

Enclosure

[Original: English and French]

Communiqué of the 163rd meeting of the Peace and Security Council

The Peace and Security Council of the African Union (AU), at its 163rd meeting, held at the ministerial level in Addis Ababa, on 22 December 2008, adopted the following decision on the situation in the Islamic Republic of Mauritania following the 6 August 2008 coup d'Etat in that country:

Council,

1. **Takes note** of the Report of the Chairperson of the Commission on the situation in the Islamic Republic of Mauritania [PSC/MIN/Comm.3 (CLXIII)] and the outcome of the consultations with the various Mauritanian parties, as well as those of consultative and coordination meetings held at the initiative of the Commission between the AU, the League of Arab States, the International Organization of the Francophonie (OIF), the Organization of the Islamic Conference (OIC), the United Nations, and the European Union (EU) in Addis Ababa, on 10 and 21 November 2008. Council **also takes note** of the briefings by the representatives of the United Nations, EU, OIF, as well as the one by a representative of President Sidi Ould Cheikh Abdallahi;

2. **Further takes note** of the results of the high level mission to Mauritania, led by the AU, on 6 and 7 December 2008, particularly the commitment of General Mohamed Ould Abdel Aziz to release President Sidi Ould Cheikh Abdallahi without conditions, by 24 December 2008 at the latest;

3. **Takes note** of the release of President Sidi Ould Cheikh Abdallahi and considers that this development partially responds to the demands of the international community but is not sufficient for a return to constitutional order;

4. **Encourages** the Chairperson of the Commission and the Commissioner for Peace and Security to continue to deploy efforts towards the return to constitutional legality in Mauritania;

5. **Expresses its deep concern** with the lack of political will and the obstinance to remain in power despite the efforts deployed to date with a view to facilitating the return to constitutional legality in Mauritania;

6. **Recalls** the relevant provisions of Communiqué PSC/MIN/Comm.2 (CLI) adopted at its 151st meeting held in New York, on 22 September 2008. In this regard, Council **reiterates its firm condemnation** of the coup d'Etat and all measures taken by its authors to consolidate the situation born out from this coup d'Etat and **reiterates** the legitimacy of the constitutional order represented by the democratically elected institutions from the legislative and presidential elections respectively held in November 2006 and March 2007;

7. **Recalls also** the provisions of the Communiqué of its 156th meeting, held on 11 November 2008, which, *inter alia*, **requests** the Commission to submit to it, as soon as possible, concrete measures to be put in place on the basis of Communiqué

PSC/MIN/Comm.2 (CLI) cited above and in accordance with the relevant provisions of the Lomé Declaration of July 2000 on Unconstitutional Changes of Government;

8. **Further recalls** relevant provisions of the AU Constitutive Act, Decision AHG/142 (XXXV) adopted Algiers in July 1999, the Lomé Declaration of July 2000 and the Protocol Relating to the Establishment of the Peace and Security Council on Unconstitutional Changes of Government, as well as the African Charter on Democracy, Elections and Governance ratified by Mauritania last July, thereby becoming the first Member State party to this instrument;

9. **Decides** that, pursuant to the pertinent provisions of the Lomé Declaration of July 2000 and the Protocol Relating to the Establishment of the Peace and Security Council on Unconstitutional Changes of Government, if by 5 February 2009, constitutional order is not restored, Council will impose measures, including targeted sanctions, in particular visa denials, travel restrictions and freezing of assets, to all individuals, both civilian and military, whose activities are designed to maintain the unconstitutional status quo in Mauritania. Council **also decides** to communicate the said measures to the UN Security Council for it to impart to them a universal character, in light of the United Nations Security Council Presidential Statement of 19 August 2008;

10. **Underlines** the importance of the support of the international community to reinforce the effectiveness of the action of the AU. In this respect, Council **requests** the Chairperson of the Commission to formally seize all Member States of the AU, the United Nations, the League of Arab States, the OIF, the OCI, the EU and all other actors concerned with the view to requesting their support in the framework of the continuous efforts aimed at facilitating the return to constitutional order;

11. **Decides also** to communicate the present decision to the UN Security Council for it to continue, in the light of its Presidential Statement of 19 August 2008, to actively support the current efforts of the African Union;

12. **Encourages** the Chairperson of the Commission to pursue his efforts with the Mauritanian parties and his consultations with partner international organizations of the AU with the view to promoting the return to constitutional order in Mauritania within the deadline stipulated in the Lomé Declaration;

13. **Decides** to remain seized of the matter.